

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITY OF EDMONDS,

Plaintiff,

v.

DARY GAIL RIEDLINGER,

Defendant.

No. C17-225RSL

ORDER DENYING MOTION FOR
STAY

This matter comes before the Court on an “Ex Parte Motion for Stay of Execution.” Dkt. # 12. The Court DENIES this motion. An order remanding a case to the state court from which it was removed is not reviewable on appeal or otherwise. 28 U.S.C. § 1447(d). Though Mr. riedlinger claims that he removed the case pursuant to 28 U.S.C. § 1443(1), and accordingly that this Court’s remand order falls into the limited exception to the rule established by 28 U.S.C. § 1447(d), Mr. riedlinger’s notice of removal does not rely on 28 U.S.C. § 1443. The notice of removal cites Section 1443, but it does not argue in any way that the courts of Washington cannot or will not enforce Mr. riedlinger’s civil rights. See Dkt. # 1. Accordingly, the Court’s remand order is not reviewable and a stay pursuant to Fed. R. Civ. P. 62(b) is not appropriate. The motion is DENIED.

1 DATED this 2nd day of March, 2017.

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4 Robert S. Lasnik
5 United States District Judge
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